

REMARKS/ARGUMENTS

Claims 1, 3, 4, 6-18, 20, 21 and 23-35 are pending herein. Claims 2, 5, 19 and 22 have been cancelled hereby without prejudice or disclaimer. Claims 1, 3, 4, 6-8, 11, 14, 18, 20, 21, 23-25, 28 and 31 have been amended hereby to correct matters of form and for clarification purposes only. Applicants respectfully submit that no new matter has been added.

1. Examiner A is thanked for courtesies extended to Applicants' representative during a telephonic interview on July 21, 2003, the substance of which is incorporated below.

2. Applicants appreciate Examiner A indicating that claims 18-35 are allowed. In addition, Applicants respectfully submit that all claims pending herein are in condition for allowance for the reasons explained below.

3. Claims 1-12 [sic, 1-7] were rejected under §102(b) over Shinjo in section 2 of the Office Action. During the telephonic interview, Examiner A indicated that this rejection should be applied against claims 1-7 rather than claims 1-12. Examiner A directed Applicants' representative to annotate the Office Action accordingly and to address this rejection with respect to claims 1-7 in this response. Accordingly, Applicants respectfully traverse this rejection with respect to claims 1-7.

Independent claim 1 recites an electron-emitting element comprising an electric field applying portion comprising a dielectric, a first electrode formed on a surface of the dielectric field applying portion, a second electrode formed on the surface of the electric field applying portion, and a slit formed in cooperation with the first electrode.

Independent claim 4 recites an electron-emitting element comprising an electric field applying portion comprising at least one of a piezoelectric material, an electrostrictive material and an antiferroelectric material, a first electrode formed on a

surface of the electric field applying portion, a second electrode formed on the surface of the electric field applying portion, and a slit formed in cooperation with the first electrode.

Applicants respectfully submit that the electric field applying portion of the electron-emitting element of the present invention acts as an insulator, not a conductive or semiconductive substance. More specifically, the electric field applying portion is a dielectric material which generates polarization.

On the other hand, the alleged "electric field applying portion" of the Shinjo reference is made from an electroconductive film, which is a conductive or semiconductive material (see Shinjo, Col. 23, lines 1-10). Moreover, Shinjo's electroconductive film does not generate any polarization.

For at least the foregoing reasons, Applicants respectfully submit that independent claims 1 and 4 and all claims depending therefrom define patentable subject matter over Shinjo. Accordingly, Applicants respectfully request that the above rejection be reconsidered and withdrawn.

4. Claims 8-17 were rejected under §103(a) over Shinjo. Applicants respectfully traverse this rejection.

Claim 8 depends from claim 6, which in turn depends from independent claim 4 (discussed in section 3 above). Claims 9-17 depend either directly or indirectly from independent claim 1 (discussed in section 3 above).

Applicants respectfully submit that claims 8-17 are patentable over Shinjo by virtue of their dependency from independent claims 1 and 4. Accordingly, Applicants respectfully request that the above rejection be reconsidered and withdrawn.

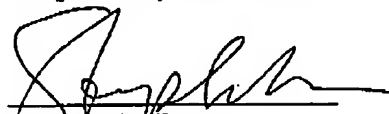
If Examiner A believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, he is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

November 18, 2003

Date

Respectfully submitted,



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